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DEC 05 2005

OFFICE OF PETITIONS

In re Application of :
Steven E. Gardell et al. :
Application No. 09/177,700 :
Filed: October 23, 1998 :
Attorney Docket No. 97-813 :
Title: MULTI-LINE APPEARANCE :
TELEPHONY VIA A COMPUTER :
NETWORK :

DECISION ON PETITION
UNDER 37 C.F.R. §1.181(A)

This is a decision on the petition under 37 C.F.R. §1.181(a) to withdraw the holding of abandonment, filed on November 15, 2005.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed January 4, 2005, which set a shortened statutory period for reply of three (3) months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on April 5, 2005. A Notice of Abandonment was mailed September 22, 2005.

With the present petition, Petitioner has included an amendment, a one-month extension of time, and a certificate of facsimile transmission which bears a date of April 5, 2005.

Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that petitioner has met his burden of establishing that a timely response was timely submitted, pursuant to 37 C.F.R. §1.8.

Accordingly, the petition under 37 C.F.R. §1.181(a) is **GRANTED**. The holding of abandonment is **WITHDRAWN**.

Technology Center 2600 will be notified of this decision.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

A handwritten signature in black ink, appearing to read "Paul Shanoski".

Paul Shanoski
Senior Attorney
Office of Petitions
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